

SPECIAL COUNCIL MEETING AGENDA

**Casper City Council
City Hall, Council Chambers
Tuesday, December 14, 2021, 4:30 p.m.**



Please silence cell phones during the City Council meeting.

1. ROLL CALL

2. MINUTE ACTION

a. Consent

1. Accepting an **Agreed Donation from BP Products North America, Inc.**, in the Amount of \$402,016.13

3. ADJOURNMENT

Upcoming Council meetings

Council meetings

6:00 p.m. Tuesday, December 21, 2021– Council Chambers

6:00 p.m. Tuesday, January 4, 2021 – Council Chambers

Work sessions


4:30 p.m. Tuesday, January 11, 2021 – Council Meeting Room

4:30 p.m. Tuesday, January 25, 2021– Council Meeting Room

We are **CASPER**

Communication Accountability Stewardship Professionalism Efficiency Responsiveness

December 8, 2021

MEMO TO: J. Carter Napier, City Manager 
FROM: Jolene Martinez, Assistant to the City Manager
SUBJECT: Agreed BP Donation to North Platte River Restoration – First Street Reach

Meeting Type & Date

Special Session December 14, 2021

Action Type

Minute Action

Recommendation

That Council accept, by minute action, an agreed donation from BP Products North America, Inc in the amount of \$402,016.13

Summary

In December 2020, North Platte River Restoration – First Street Reach in channel construction work was completed. The completion date was a year later than planned, due to the hydrocarbon and other contamination encountered in the riverbed and river banks during the construction in 2019. The contamination was due to previous BP operations in the area.

Staff and Platte River Revival Advisory Committee members began working with BP Products North America, Inc in 2019 to recover some of the project cost overages due to the contamination. On November 8, 2021, BP Products North America, Inc presented the City of Casper, through Platte River Revival Advisory Committee Chairman Tom E. Swanson, an agreed donation letter. The agreed donation letter outlines the conditions of the agreed donation and requires the signature of Mayor Steven K. Freel.

Financial Considerations

BP Products North America, Inc has agreed to a donation of \$402,016.13 to offset some of the cost overruns due to contamination from its previous operations in the area. The total cost overruns attributed to the contamination total \$681,719.13. BP Products North America, Inc has previously paid \$192,000 toward costs of the First Street Reach portion of the North Platte River Restoration Project.

Oversight/Project Responsibility

Scott Baxter, Associate Engineer
Jolene Martinez, Assistant to the City Manager

Attachments

BP Products North America Inc Agreed Donation Agreement



Remediation Management Services Company

150 West Warrenville Road
Naperville, Illinois 60563

Office: 331.236.1415
Mobile: 630.731.4463
Paul.johnson4@bp.com

VIA ELECTRONIC MAIL

November 8, 2021

Tom E. Swanson
Representative to the City of Casper
North Platte River Restoration
Casper, Wyoming

REF: North Platte River Restoration, Engineer Project 12-51
Agreed Donation to the City of Casper

Dear Tom:

After discussions with the City of Casper, hereinafter called "City", BP Products North America Inc., hereinafter called "bp", has decided to provide the City \$402,016.13, to offset certain costs associated with the North Platte River Restoration Engineer Project 12-51 (Project). This offset would be in addition to the \$195,000 that bp previously provided to the City of Casper for this Project.

bp's payment to the City of \$402,016.13 is conditioned upon the following:

1. The City will provide to bp a written line-item description of the Project work and services that would be funded/reimbursed by bp's payment noted above (the "Reimbursed Work") for the following items:
 - A. Golder Original Contract
 - B. Golder Amendment 1
 - C. Golder 2020 Contract
 - D. Henderson Drilling
 - E. Energy Laboratories (Bank Sample Testing)
 - F. Energy Laboratories (Bed Sample Testing)
 - G. Energy Laboratories (Construction Sample Testing)
 - H. Stantec Amendment #1
 - I. Additional Water Control to Build Wood Toe #5 (Left Bank)
 - J. Additional Oil Absorbent Booms



- K. More Robust Oil Absorbent Booms
 - L. One Extra Silt Curtain (ice damage)
 - M. Contaminated Material Disposal
 - N. Additional Disposal of Contaminated Soil - CO-2E
 - O. City of Casper Topsoil Hauling
 - P. City of Casper Soil Disposal
2. The City will provide to bp a written certification that the City oversaw the Reimbursed Work and that the Reimbursed Work is complete.
 3. The City agrees that bp is not responsible for any fines or non-compliance caused by the Project before, during, or after construction.
 4. The City by signing this letter certifies that all waste generated during the Project was handled properly under State of Wyoming and federal regulations and that neither bp nor any of bp's affiliated companies was listed as the generator of any of these wastes.

bp will provide payment of the aforementioned \$402,016.13 to the City within 14 days after the City meets the four conditions listed above. If the City agrees with these terms, please sign in the space indicated below.

Regards,

Paul Johnson
BP Products North America Inc.

Agreed:

Steven K. Freel Mayor, City of Casper

Printed Name and Title

Signature